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PTO/SB/17 (05-03)

Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 130.00)

## Complete if Known

|                      |                        |
|----------------------|------------------------|
| Application Number   | 09/852,659-Conf. #5111 |
| Filing Date          | May 11, 2001           |
| First Named Inventor | Steven M. Ruben        |
| Examiner Name        | D. Sullivan            |
| Art Unit             | 1636                   |
| Attorney Docket No.  | PZ003P4                |

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TECH CENTER  
600/2900

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None

Deposit Account

Deposit Account Number 08-3425

Deposit Account Name Human Genome Sciences, Inc.

The Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code            | Fee (\$) | Fee Code    | Fee (\$) | Fee Description        | Fee Paid |
|---------------------|----------|-------------|----------|------------------------|----------|
| 1001                | 750      | 2001        | 375      | Utility filing fee     |          |
| 1002                | 330      | 2002        | 165      | Design filing fee      |          |
| 1003                | 520      | 2003        | 260      | Plant filing fee       |          |
| 1004                | 750      | 2004        | 375      | Reissue filing fee     |          |
| 1005                | 160      | 2005        | 80       | Provisional filing fee |          |
| <b>SUBTOTAL (1)</b> |          | <b>(\$)</b> |          | <b>0.00</b>            |          |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Extra Claims         | Fee from below  | Fee Paid |
|----------------------|---|----------|
| Total Claims 75      | -97** = <input type="text"/> x <input type="text"/> = | 0.00     |
| Independent Claims 6 | -10** = <input type="text"/> x <input type="text"/> = | 0.00     |
| Multiple Dependent   |   |          |

Large Entity Small Entity

| Fee Code            | Fee (\$) | Fee Code    | Fee (\$) | Fee Description  |
|---------------------|----------|-------------|----------|--|
| 1202                | 18       | 2202        | 9        | Claims in excess of 20                                     |
| 1201                | 84       | 2201        | 42       | Independent claims in excess of 3                          |
| 1203                | 280      | 2203        | 140      | Multiple dependent claim, if not paid                      |
| 1204                | 84       | 2204        | 42       | ** Reissue independent claims over original patent         |
| 1205                | 18       | 2205        | 9        | ** Reissue claims in excess of 20 and over original patent |
| <b>SUBTOTAL (2)</b> |          | <b>(\$)</b> |          | <b>0.00</b>  |

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity Fee Code             | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  | Fee Paid      |
|-----------------------------------|-----------------------|-----------------------|-----------------------|--|---------------|
| 1051                              | 130                   | 2051                  | 65                    | Surcharge - late filing fee or oath  |               |
| 1052                              | 50                    | 2052                  | 25                    | Surcharge - late provisional filing fee or cover sheet                     |               |
| 1053                              | 130                   | 1053                  | 130                   | Non-English specification  |               |
| 1812                              | 2,520                 | 1812                  | 2,520                 | For filing a request for <i>ex parte</i> reexamination                     |               |
| 1804                              | 920*                  | 1804                  | 920*                  | Requesting publication of SIR prior to Examiner action                     |               |
| 1805                              | 1,840*                | 1805                  | 1,840*                | Requesting publication of SIR after Examiner action                        |               |
| 1251                              | 110                   | 2251                  | 55                    | Extension for reply within first month                                     |               |
| 1252                              | 410                   | 2252                  | 205                   | Extension for reply within second month                                    |               |
| 1253                              | 930                   | 2253                  | 465                   | Extension for reply within third month                                     |               |
| 1254                              | 1,450                 | 2254                  | 725                   | Extension for reply within fourth month                                    |               |
| 1255                              | 1,970                 | 2255                  | 985                   | Extension for reply within fifth month                                     |               |
| 1401                              | 320                   | 2401                  | 160                   | Notice of Appeal   |               |
| 1402                              | 320                   | 2402                  | 160                   | Filing a brief in support of an appeal                                     |               |
| 1403                              | 280                   | 2403                  | 140                   | Request for oral hearing   |               |
| 1451                              | 1,510                 | 1451                  | 1,510                 | Petition to institute a public use proceeding                              |               |
| 1452                              | 110                   | 2452                  | 55                    | Petition to revive - unavoidable   |               |
| 1453                              | 1,300                 | 2453                  | 650                   | Petition to revive - unintentional   |               |
| 1501                              | 1,300                 | 2501                  | 650                   | Utility issue fee (or reissue)   |               |
| 1502                              | 470                   | 2502                  | 235                   | Design issue fee   |               |
| 1503                              | 630                   | 2503                  | 315                   | Plant issue fee  |               |
| 1460                              | 130                   | 1460                  | 130                   | Petitions to the Commissioner  | 130.00        |
| 1807                              | 50                    | 1807                  | 50                    | Processing fee under 37 CFR 1.17(q)  |               |
| 1806                              | 180                   | 1806                  | 180                   | Submission of Information Disclosure Stmt                                  |               |
| 8021                              | 40                    | 8021                  | 40                    | Recording each patent assignment per property (times number of properties) |               |
| 1809                              | 750                   | 2809                  | 375                   | Filing a submission after final rejection (37 CFR 1.129(a))                |               |
| 1810                              | 750                   | 2810                  | 375                   | For each additional invention to be examined (37 CFR 1.129(b))             |               |
| 1801                              | 750                   | 2801                  | 375                   | Request for Continued Examination (RCE)                                    |               |
| 1802                              | 900                   | 1802                  | 900                   | Request for expedited examination of a design application                  |               |
| Other fee (specify)               |                       |                       |                       |  |               |
| *Reduced by Basic Filing Fee Paid |                       | <b>SUBTOTAL (3)</b>   |                       | <b>(\$)</b>  | <b>130.00</b> |

Complete (if applicable)

| SUBMITTED BY      |                           |                                   |              |
|-------------------|---------------------------|-----------------------------------|--------------|
| Name (Print/Type) | Janet M. Martineau        | Registration No. (Attorney/Agent) | 46,903       |
| Signature         | <i>Janet M. Martineau</i> | Date                              | Oct 31, 2003 |



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Ruben et al.

Docket No.: PZ003P4

Application No.: 09/852,659

Confirmation No.: 5111

Filed: May 11, 2001

Art Unit: 1636

For: Secreted Protein HPMBQ91 (As Amended)

Examiner: D. Sullivan

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**REQUEST TO CORRECT INVENTORSHIP**  
**UNDER 37 C.F.R. § 1.48 (a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It has come to the attention of Applicants that Gregg A. Hastings has been erroneously omitted without deceptive intent as an inventor of the above-captioned application. Accordingly, pursuant to 35 U.S.C. § 116 and 37 C.F.R. § 1.48(a), Applicants respectfully request that the Examiner correct the inventorship of the above application by adding Gregg A. Hastings as an inventor.

In support of this request, Applicants submit concurrently herewith:

1. A statement from the added inventor that the inventorship error occurred without deceptive intent on his part;
2. A statement from the Assignee of the original named inventors agreeing to the requested change of inventorship; and
3. A supplemental declaration executed by the actual inventors.

As the above submissions fully satisfy the requirements of 37 C.F.R. § 1.48(a), Applicants respectfully request that the instant request be granted, and that the Examiner correct the inventorship of the above application by adding Gregg A. Hastings as an inventor.

If any further action by Applicants is required, please call the undersigned at the phone number provided below. If there are any additional fees due in connection with this response, please charge the fees to our Deposit Account No. 08-3425.

Dated: October 31, 2003

Respectfully submitted,

By Janet M. Martineau  
Janet M. Martineau

Registration No.: 46,903  
HUMAN GENOME SCIENCES, INC.  
9410 Key West Avenue  
Rockville, Maryland 20850  
(301) 315-2723

KKH/JMM/MJH/FR/ba



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ruben et al.

Application Serial No.: 09/852,659

Art Unit: 1636

Filed: May 11, 2001

Examiner: Sullivan D.

For: **28 Human Secreted Proteins**

Attorney Docket No.: **PZ003P4**

**STATEMENT OF GREGG A. HASTINGS**

Commissioner of Patents  
Washington, D.C. 20231

Sir:

I was erroneously omitted as an inventor of the above-captioned patent application.  
This error occurred without any deceptive intention on my part.

Date: 2/18/03

Gregg A. Hastings  
Gregg A. Hastings

1570 Bridgegate Street  
Westlake Village, CA 91361



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Ruben et al.

Docket No.: PZ003P4

Application No.: 09/852,659

Confirmation No.: 5111

Filed: May 11, 2001

Art Unit: 1636

For: Secreted Protein HPMBQ91 (As Amended)

Examiner: D. Sullivan

**STATEMENT OF HUMAN GENOME SCIENCES, INC.  
UNDER 37 C.F.R. §§ 3.73 AND 1.48(a)(5)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Statement Under 37 C.F.R. § 3.73**

Human Genome Sciences, Inc. ("HGS"), organized and existing under the laws of the State of Delaware, having its principal place of business at 9410 Key West Avenue, Rockville, Maryland 20850, states that it is the assignee of record of the entire right, title and interest for the above-identified patent application by virtue of an assignment from the inventors of the present Application No. 09/852,659, filed May 11, 2001. The assignment was recorded in the U.S. Patent and Trademark Office on October 1, 2002, at Reel 013149, Frame 0075.

The undersigned, whose title is supplied below, is empowered to sign this document on behalf of HGS.

**Statement Under 37 C.F.R. § 1.48(a)(5)**

In accordance with the Request to Correct Inventorship submitted herewith, HGS agrees to the proposed change of inventorship adding Gregg A. Hastings as an inventor of the above-captioned patent application.

For: Human Genome Sciences, Inc.  
Signature: J - HD -  
Name: James H. Davis, Ph.D.  
Title: Senior Vice President and General Counsel  
Date: 10/28/03